Public Disclosure Committee

Government of Saskatchewan

Table of Contents

Letters of Transmittal 2

Committee Staff & Committee Office Address 4

Role of the Committee 4

Committee Services 5

Committee Activities

- Meetings and Training 6
- Security 6
- Providing Information to Police Services and the RCMP about the Committee 6
- Processing the Applications 6
- Committee Budget 7

This annual report is also available in electronic form from the Ministry's website at **www.justice.gov.sk.ca**

Letters of Transmittal

Her Honour the Honourable Vaughn Solomon Schofield
Lieutenant Governor of Saskatchewan

Christine Tell

May it Please Your Honour:

The undersigned, pursuant to section 12 of *The Public Disclosure Act*, is pleased to present the Public Disclosure Committee Annual Report for the period of April 1, 2012 to March 31, 2013 which was submitted to me by the Public Disclosure Committee.

Christine Tell
Minister Responsible for Corrections and Policing

Her Honour the Honourable Vaughn Solomon Schofield
Lieutenant Governor of Saskatchewan

Gordon S. Wyant, Q.C.

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Gordon Wyant, Q.C.
Minister of Justice and Attorney General

Letters of Transmittal

Honourable Gordon Wyant, Q.C.
Minister of Justice and Attorney General

Honourable Christine Tell
Minister Responsible for Corrections and Policing

Dear Sir/Madam:

The undersigned, pursuant to section 12 of *The Public Disclosure Act*, is pleased to present the Public Disclosure Committee Annual Report for the period of April 1, 2012 to March 31, 2013 which was submitted to me by the Public Disclosure Committee.

Dale McFee
Deputy Minister of Corrections and Policing

Committee Staff and Office Address

Ken Sabo, Administrator for the Public Disclosure Committee

The Committee maintains an office at:

1850, 1881 Scarth Street
REGINA SK S4P 4K9

The Committee may also be contacted by:

Telephone: (306) 798-3383
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Role of the Committee

The public has concerns about high-risk offenders who have been released into communities after serving some or all of their entire sentences. One response to these concerns is to raise public awareness about a particular individual by providing information about the offender to affected individuals or communities.

The Public Disclosure Act was developed to assist the police in dealing with this important issue. The legislation was proclaimed in force November 15, 1996 and created a committee to provide non-binding advice to the police about persons who may pose a danger to the community.

On November 15, 1996 a nine-member committee was appointed to serve pursuant to the Act. Committee members represent a broad spectrum of the community. They include senior police officers, psychologists, members of the legal profession, members of the clergy, people who work with victims of crime and those who employ traditional First Nations healing approaches. They are drawn from various communities around the province.

Police may bring applications with respect to persons who have been convicted of one of the offences prescribed in section 3 of the *Regulations* and who pose a risk of serious harm to persons in a community in Saskatchewan. The scheduled offences include sexual offences against children, sexual assaults, other sexual offences like bestiality and indecent acts, and procuring children into prostitution. They also include serious personal injury offences like robbery, aggravated assault, kidnapping, and trafficking in controlled drugs and substances.

Committee Services

The Committee can recommend disclosure only when the individual poses a significant risk of serious harm to other persons, the disclosure will help avert the risk posed by the individual, and the public interest in the disclosure outweighs the privacy interests of the individual. If the release of information is recommended, the Committee will also recommend what information should be released, how it should be released, and to whom.

Decisions of the Committee are carefully considered and are based on review of information prescribed by the *Act*. The information reviewed includes risk assessments, criminal records, likely destinations for the individual, descriptions of the offences the individual has committed in the past, and reasons the individual is believed to pose a significant risk of harm to others.

Persons, who are the subject of an application to the Public Disclosure Committee, are advised in advance that an application has been made, and are given an opportunity to make submissions to the Committee in writing or on audio or video tape.

The advice given by the Committee does not bind the police agency making the request. However, police acting in compliance with the advice receive immunity from suit for their good faith actions in so doing.

Within the scope of *The Public Disclosure Act* for the 12-month period ending March 31, 2013 the Committee received seven applications and advised disclosure on all seven applications.

The following table sets out the number of applications received since the Committee's first reporting year and the number of those applications on which disclosure was advised or not advised.

Fiscal Year	Number of Applications Received	Disclosure Advised	Disclosure Not Advised
2012-13	7	7	0
2011-12	7	6	1
2010-11	3	3	0
2009-10	2	2	0
2008-09	3	3	0
2007-08	3	3	0
2006-07	3	2	1
2005-06	5	5	0
2004-05	2	1	1
2003-04	6	5	1
2002-03	4	4	0
2001-02	2	1	1

Committee Activities

Meetings and Training

Pursuant to section 5 of *The Public Disclosure Regulations*, the Committee is required to schedule a minimum of one date per month for the hearing of applications. Additional expedited meetings are held when applications are brought of an urgent nature that cannot be held in abeyance until the regularly scheduled meetings.

From April 1, 2012 to March 31, 2013, the Committee held 7 expedited and no full committee meetings.

In December 1996, the Committee held its inaugural meeting in Moose Jaw, Saskatchewan. Since that time, Committee members have periodically received training to enhance the knowledge and skills they bring to the process of providing considered, well grounded and appropriate advice to police agencies. They receive training in matters such as orientation to the Act, the roles and responsibilities of the Committee, effective media relations, and tools and techniques to assess both the risk an offender may pose to the public and the offender's potential to re-offend.

Security

As the Committee will be dealing with some of the potentially most dangerous persons in the province, certain precautions have been taken to protect Committee members from harm. These include, but are not limited to, a specific request made by the Minister of Justice on announcing the legislation that the press not publish the identities of or identifying information about Committee members.

Providing Information to Police Services and the RCMP about the Committee

On November 15, 1996 the Committee provided a package of information to all police services in the province and the RCMP. In January 1997, Committee members and staff provided a half-day presentation to designated police representatives. The sessions were held in Regina and Saskatoon. The presentation was intended to show representatives how to prepare and file applications with the Committee.

Representatives from the RCMP and the municipal police services act as liaison between the Committee and their organizations, ensuring that these agencies are well aware of the application process.

During 2005-06 the Committee Chair and Administrator provided three half-day training presentations for police agencies throughout Saskatchewan. These sessions were held in Regina, Saskatoon and Prince Albert.

Processing the Applications

Of the seven applications received in 2012-13, all were granted expedited consideration pursuant to subsection 15(1) of *The Public Disclosure Regulations* to enable the Committee to provide the applicant police agency with its advice prior to the release of the offender into the community whenever possible.

Profiles of offenders that were the subject of applications:

- Six offenders were male and one was female.
- At the time of the applications two offenders were 25-35 years of age, four were 35-45 years of age and one was 45-55 years of age.
- The offenders' ethnic origins were one Caucasian and six Aboriginal.
- The number of previous convictions ranged from 5 to 93.
- The number of previous custodial sentences ranged from 1 to 82.
- The number of scheduled offences ranged from 1 to 15.
- The assessment level of risk ranged from moderate/high to high for violence.
- The number of previous victims ranged from 2 to numerous.
- The victims of one of the offenders were female.
- The victims of six of the offenders were both male and female.
- The victims of one of the offenders ranged from infancy to adulthood.
- The victims of two of the offenders ranged from children to adulthood.
- The victims of one of the offenders ranged from 5 to 10 years of age.
- The victims of three of the offenders were all of adult years.
- Two offenders were 13 when first convicted of a criminal offence.
- Two offenders were 16 when first convicted of a criminal offence.
- One offender was 19 when first convicted of a criminal offence.
- One offender was 21 when first convicted of a criminal offence.
- One offender was 29 when first convicted of a criminal offence.
- Four of the offenders were held to warrant expiry by CSC officials.
- Two offenders were released prior to warrant expiry by CSC officials.

- One offender was incarcerated in a provincial correctional facility at the time of the application.
- Six of the offenders were awaiting release into the community at the time of the application.
- One of the offenders was in the community at the time of the application.

Committee Budget

The expenses of the Committee totalled $8,602.53 and supported the costs of hearings. Policing and Community Safety Services, Corrections and Policing, of the Ministry of Justice, provided administrative support for the Committee.